UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

IN RE: REALPAGE, INC., RENTAL	Case No. 3:23-md-3071
SOFTWARE ANTITRUST LITIGATION) (NO. II)))	MDL No. 3071
	JURY DEMAND
	Chief Judge Waverly D. Crenshaw, Jr.
	This Document Relates to:
	3:23-cv-00742
	3:23-cv-00979

DEFENDANT APARTMENT INCOME REIT CORP.'S AND PLAINTIFFS' NOTICE TO FINALIZE SETTLEMENT

On January 31, 2024, the Court granted Defendant Apartment Income REIT Corp. ("AIR") and Plaintiffs' (together with AIR, the "Parties") Joint Motion to Stay Resolution of AIR's Renewed Motion to Dismiss Plaintiffs' Second Amended Consolidated Class Action Complaint while the Parties explored resolution of the litigation.

On February 2, 2024, the Parties reached a settlement in principle to resolve all of Plaintiffs' claims against AIR in this action. The Parties are diligently working to draft the final long-form settlement agreement, which will include a joint request for AIR's dismissal with prejudice upon final approval by the Court. Even with the Parties' diligence, it is anticipated that it will take several months to complete the class settlement approval process.

Accordingly, the Parties agree that AIR's Renewed Motion to Dismiss Plaintiffs' Second Amended Consolidated Class Action Complaint (Dkt. 695, 696) is now moot and is hereby withdrawn by AIR without prejudice. The Parties respectfully request that the Court stay all deadlines against AIR, including any deadline to file an answer to Plaintiffs' Second Amended Consolidated Class Action Complaint and any pending and future discovery deadlines, as the Parties finalize their long-form settlement agreement for submission to the Court for preliminary approval.

In the event that the Court has any questions or concerns regarding this Notice and Motion, the Parties jointly request a telephone conference with the Court to address them.

/s/ Tricia R. Herzfeld

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Dated: February 5, 2024

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Plaintiffs' Steering Committee Counsel for Plaintiffs

Dated: February 5, 2024 Respectfully submitted,

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Attorneys for Apartment Income REIT Corp.

CERTIFICATE OF SERVICE (CM/ECF)

I HEREBY CERTIFY that on February 5, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record:

> /s/ Tricia R. Herzfeld Tricia R. Herzfeld